

Customer No.: 31561  
Docket No.: 10948-US-PA  
Application No.: 10/605,917

### **REMARKS**

#### **Present Status of the Application**

The current Office Action rejected claims 1-12 under 35 U.S.C. 101 as the claimed invention was contended as directed to non-statutory subject matter.

The current Office Action also rejected claims 1-12 under 35 U.S.C. 102(b) as being anticipated by Beog-Soo Kang hereafter Kang (US 6,195,587).

Applicant has amended claims 1-12 to overcome the 101 rejection. Associating with the amendments to claims 1-12, the title of the present application has also been amended to more clearly describe the present invention. Applicant also has newly added claims 13 and 14. All subject matter of the new claims can be found in originally filed claim 1, which has been considered. As such, Applicant submits that such amendments to the claims do not construct any new ground or necessitate any new search by themselves.

#### **Claim Rejections - 35 U.S.C. 101**

Claims 1-12 were rejected under 35 U.S.C. 101 as the claimed invention was contended as directed to non-statutory subject matter.

In response thereto, Applicant has amended claims 1-12. As such, Applicant submit that the present invention, as set forth in amended claims 1-12 is in allowable form considering the requirement of 35 U.S.C. 101.

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**Claim Rejections - 35 U.S.C. 102**

The current Office Action also rejected claims 1-12 under 35 U.S.C. 102(b) as being anticipated by Kang.

In response thereto, Applicants hereby otherwise traverse these rejections. As such, Applicants submit that claims 1 and its dependent claims 2-12, in either original or amended forms, are novel and unobvious over Kang, or any of the other cited references, taken alone or in combination, and thus should be allowed.

Applicant finds that the Examiner has made too general a rejection against the claimed invention, e.g. as of claim 1. There is even no term to term interpretation, either clearly or roughly, between the claimed invention and the cited reference, Kang. The Examiner designated a certain section of Kang, i.e., "col. 1, lines 58-67, col. 2, lines 1-15", as evidence supporting the rejection to claim 1.

With respect to claim 1, as currently amended, recites:

A portable computer equipped with an embedded controller (EC), the EC being equipped with a security mechanism operable with a method comprising steps of:

providing a key that provides a key signal to allow the EC to learn whether the portable computer is locked;

turning on the security mechanism while the EC receives the key signal indicating that the portable computer is locked;

determining whether a hacking action is taking place; and

activating a security action in responding to the hacking action.

In comparing the details of the claimed invention and the Kang's reference, Applicant finds rare consistence existing therebetween. Since the Examiner does not give

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any term to term interpretation, Applicant has to try to guess Examiner's ideas.

A most substantial feature that draws the Kang's reference far away from the claimed invention is: the EC is equipped to the portable computer, and thus the EC should be considered as a part of the portable computer, in that only the portable computer itself is enough to run the step of "turning on the security mechanism" if only the EC that is a part of the portable computer knowing that the portable computer has been locked. On the contrary, Kang teaches: "a method for checking the validity of an item of data stored for access by a first data processor of a data processing network comprising at least two interconnected data processors". He thus discloses in general that the security mechanism of the second processor is turned on only when the second processor finds that the item of data to be copied indicates invalidity. This process is happened only between two interconnected processors.

Secondly, the Kang reference fails to teach a step of "providing a key that provides a key signal to allow the EC to learn whether the portable computer is locked". Throughout the designated section, Kang shows no interest on learning whether the portable computer is locked. This is because a locking status of the computer of Kang is a result of the method of Kang. When every conditions are satisfied well, the result is definite and is not necessary to be further determined.

Finally, Applicant submits that most of claimed subject matter presented in claims 1-12 are not clearly defined by Kang. The only reason that Applicant did not discuss the differences of each item from the Kang reference is the Examiner did not reject the claimed invention in a clear and proper way. If the Examiner would maintain the rejection as anticipated by Kang, the Examiner is invited to give a thorough analysis

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containing details of comparison therebetween.

For at least the foregoing reasons, claim 1, as currently amended, is submitted to be novel and unobvious over Kang, or any of the other cited references, taken alone or in combination, and thus should be allowed.

Claims 2-12 depend on allowable independent claim 1, and thus should also be allowable.

#### **New Claims**

Claims 13 and 14 are newly added.

Applicant submits that claims 13 and 14 contain all allowable subject matter of claim 1, and thus should also be allowable.

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**CONCLUSION**

For at least the foregoing reasons, it is believed that the pending claims 1-14 are in proper condition for allowance and an action to such effect is earnestly solicited. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,

Belinda Lee

Belinda Lee

Registration No.: 46,863

Jianq Chyun Intellectual Property Office  
7<sup>th</sup> Floor-1, No. 100  
Roosevelt Road, Section 2  
Taipei, 100  
Taiwan  
Tel: 011-886-2-2369-2800  
Fax: 011-886-2-2369-7233  
Email: [belinda@jcingroup.com.tw](mailto:belinda@jcingroup.com.tw)  
[Usn@jcingroup.com.tw](mailto:Usn@jcingroup.com.tw)